

03/21/00

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PTO/SB/05 (4/98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 21 PCT

First Inventor or Application Identifier Xi Wang

Title Chimeric Protein For the Diagnosis..

Express Mail Label No.

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Specification [Total Pages 44]
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
4. Oath or Declaration
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 C.F.R. § 1.63(d))
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**\*NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5.  Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

7.  Assignment Papers (cover sheet & document(s))
8.  37 C.F.R. § 3.73(b) Statement  Power of (when there is an assignee)  Attorney
9.  English Translation Document (if applicable)
10.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
11.  Preliminary Amendment
12.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
13.  \* Small Entity Statement(s)  Statement filed in prior application, (PTO/SB/09-12) Status still proper and desired
14.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
15.  Other: .....

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No. PCT/US98/27408

Group / Art Unit:

Prior application information: Examiner \_\_\_\_\_

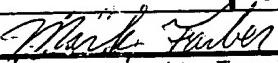
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or  Correspondence address below

Name	Mark Farber		
Address	Alexion Pharmaceuticals, Inc.		
City	25 Science Park, Suite 360	State	Zip Code
Country	U.S.	Telephone	Fax

Name (Print/Type)	Mark Farber	Registration No. (Attorney/Agent)	34,159
Signature			Date 3/21/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number	PCT/IUS98/27408
Filing Date	23 December 1998
First Named Inventor	Yi Wang
Examiner Name	
Group / Art Unit	
Attorney Docket No.	21 PCT

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

01-0483

Deposit Account Name

Alexion Pharmaceuticals, Inc.

 Charge Any Additional Fee Required  
 Under 37 CFR §§ 1.16 and 1.17

- 2.
- 
- Payment Enclosed:

 Check     Money     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	690	Utility filing fee	\$ 345
106	310	Design filing fee	
107	480	Plant filing fee	
108	690	Reissue filing fee	
114	150	Provisional filing fee	
SUBTOTAL (1) (\$)			345.00

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
18	-20** = 0	X 18	= 0
Independent Claims 9	-3** = 6	X 39	=\$234
Multiple Dependent			

\*\*or number previously paid, if greater; For Reissues, see below

## Large Entity Small Entity

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	Claims in excess of 20
102	78	Independent claims in excess of 3
104	260	Multiple dependent claim, if not paid
109	78	** Reissue independent claims over original patent
110	18	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		234.00

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	
127	50	Surcharge - late provisional filing fee or cover sheet	
139	130	Non-English specification	
147	2,520	For filing a request for reexamination	
112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	Requesting publication of SIR after Examiner action	
115	110	Extension for reply within first month	
116	380	Extension for reply within second month	
117	870	Extension for reply within third month	
118	1,360	Extension for reply within fourth month	
128	1,850	Extension for reply within fifth month	
019	300	Notice of Appeal	
120	300	Filing a brief in support of an appeal	
121	260	Request for oral hearing	
138	1,510	Petition to institute a public use proceeding	
140	110	Petition to revive - unavoidable	
141	1,210	Petition to revive - unintentional	\$ 605.00
142	1,210	Utility issue fee (or reissue)	
143	430	Design issue fee	
144	580	Plant issue fee	
122	130	Petitions to the Commissioner	
123	50	Petitions related to provisional applications	
126	240	Submission of Information Disclosure Stmt	
581	40	Recording each patent assignment per property (times number of properties)	
146	690	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)			
Other fee (specify)			
Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$)
			605.00

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Mark Farber	Registration No. (Attorney/Agent)	34,159	Telephone	(203) 776-1790
Signature	<i>Mark Farber</i>			Date	3/21/00

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Docket: 21

*A*  
JC525 U.S. PTO  
09/528225  
03/21/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang et al.

Filed: December 23, 1998 Group: Unassigned

Serial No: PCT/US98/27408 Examiner: Unassigned

For: Chimeric Proteins For Diagnosis And Treatment Of Diabetes

APPLICATION TRANSMITTAL LETTER

Asst. Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the [x] utility [ ] design patent application in this case including:

1. [ ] This application is a [ ] Continuation; [ ] Divisional [ ] Continuation in Part of prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ [entire genealogy should be set forth].
2. [ ] This application claims priority from Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_.
3. [ ] The application consisting of 44 pages (including specification, claims and abstract).
4. [ ] 9 sheet(s) of drawings is enclosed. The drawings are:
  - a. [ ] formal; or
  - b. [x] informal; formal drawings will be submitted in due course.
5. [ ] A signed declaration and power of attorney is enclosed.
6. [x] A declaration and power of attorney is not enclosed at this time since it has not been executed by the inventor(s). A signed declaration and power of attorney will be submitted in due course.  
The inventor(s) is/are \_\_\_\_\_.

7. [ ] An Assignment of the invention to \_\_\_\_\_ is enclosed. Please record the Assignment and return it to the undersigned. **TWO DUPLICATE COPIES OF THIS PAPER ARE ENCLOSED.**

8. [ ] The Application filing fee is calculated below.

No. Filed	No. Extra*	Rate:	Fee
Basic Fee:			\$ 345.00
Total Claims: 18 - 20 = 0		x 9.00	\$ 0.00
Indep Claims: 9 - 3 = 6		x 39.00	\$ 234.00
[ ] Multiple Dependent Claims Presented		+ \$270.00	\$ <u>0.00</u>
			<b>TOTAL: \$ 579.00</b>

9. [ ] Please charge Deposit Account No. 01-0483 in the amount of \$ \_\_\_\_\_ which includes filing fee and recordation fee). **TWO DUPLICATE COPIES OF THIS PAPER ARE ENCLOSED.**

10. [x] The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment to Deposit Account No. 01-0483. **TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,

Date: 3/21/00

  
\_\_\_\_\_  
Mark Farber  
Reg. No. 34,159  
Attorney for Applicant

Mark Farber  
C/O  
Alexion Pharmaceuticals, Inc.  
25 Science Park, Suite 360  
New Haven, CT. 06511

03/21/00  
JC525 U.S. PTO

Docket No. 21 PCT

JC525 U.S. PTO  
09/528225  
03/21/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang et al.

Serial No: PCT/US98/27408 Examiner: Unassigned

Filed: December 23, 1998 Group: Unassigned

For: **Chimeric Proteins For Diagnosis and Treatment of Diabetes**

38 CFR §1.137 (b) PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION

Asst. Commissioner For Patents  
Washington, DC 20231

Sir:

An Office Action was mailed by the United States Patent and Trademark Office on January 5, 1999. No response has been filed to date. Therefore, the application has become abandoned (although no Notice of Abandonment has been received from the USPTO). Such abandonment was unintentional.

Applicants respectfully petition for revival of the above identified application under the provisions of 37 CFR §1.137 (b). This petition is made within one year from the date of abandonment.

Enclosed is a check for the petition fee of \$ 605.00 as required under 37 CFR § 1.17 (m).

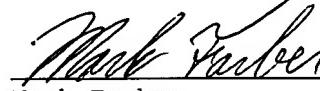
As a proposed response enclosed please find a Transmittal Letter and fee for a filing a patent application under 35 USC § 371.

All the requirements of 37 CFR §1.137 (b) having been complied with, it is courteously requested that this application be restored to pending status.

The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment to Deposit Account No. **TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully Submitted,

Date: 3/21/00

  
Mark Farber  
Reg. No. 34,159  
Attorney for Applicant

Mark Farber  
C/O  
Alexion Pharmaceuticals, Inc.  
25 Science Park, Suite 360  
New Haven, CT 06511

A

Docket No. 21 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang et al.

Serial No: PCT/US98/27408 Examiner: Unassigned

Filed: December 23, 1998 Group: Unassigned

For: **Chimeric Proteins For Diagnosis and Treatment of Diabetes**

Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

Date of Deposit: March 21, 2000

EXPRESS MAILING NUMBER: EJ513609638US

I hereby certify that the following:

- This Certificate of Mailing
- Petition to Revive
- Fee Transmittal for FY 2000
- Utility Patent Application Transmittal
- Application Transmittal Letter
- Check
- Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Carolynn Wise  
Carolynn Wise

Alexion Pharmaceuticals, Inc.  
25 Science Park, Suite 360  
New Haven, CT. 06511